

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEVAR LEE ANTHONY
SPENCE,

Petitioner,

v.

THOMAS L. MCGINLEY, et al.,

Respondents.

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CIVIL ACTION

No. 16-5710

ORDER

MITCHELL S. GOLDBERG, J.

AND NOW, this *6th* day of *March*, 2017 upon careful and independent consideration of the petition for a writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Timothy R. Rice, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. The petition for a writ of habeas corpus shall be TRANSFERRED to the United States District Court for the Middle District of Pennsylvania in accordance with 28 U.S.C. § 2241(d);
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of the Court shall mark this case closed for statistical purposes.

BY THE COURT:


MITCHELL S. GOLDBERG
U.S. DISTRICT COURT JUDGE